FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2812 OF 2005
IN
WRIT PETITION NO.6309 OF 1998

Office notes, office Memoranda of appearances, Court's orders or directions & Registrar's orders.	Coram, : Court's or Judge's Orders

Mr. N.D. Hombalkar for the applicant.

Mr. U.B. Nighot for respondent 1.

Mr. Sanjay Gawade h/f. Shri V.P. Shintre for respondent 2.

CORAM: SMT. RANJANA DESAI, J.

DATED: 25TH OCTOBER, 2005.

P.C.:-

On 23/8/2005, I had passed an order in Civil Application No.2135 of 2005 in Writ Petition No.6309 of 1998 permitting the applicant (original defendant 2) to deposit in this court a sum of Rs.10,500/- towards compensation for the period from 1/6/2003 to 1/7/2004 within a period of four weeks from the date of the said order i.e. 23/8/2005. This

order was passed without prejudice to the rights and contentions of both sides. It is subsequently pointed out to me that there is some mistake in the civil application. Hence, the present civil application is filed by the applicant (original defendant 2).

I have heard the learned counsel appearing for the applicant (original defendant 2) and the respondents.

In the circumstances, the order dated 23/8/2005 is recalled. Civil Application No.1904 of 2004 and Civil Application No.2135 of 2005 are allowed to be withdrawn and the same are disposed of as withdrawn. Civil Application No.2812 of 2005 is made absolute in terms of prayer clause (c). This order is passed without prejudice to the rights and contentions of both sides.

Time to deposit the amount is extended by six weeks from today.

Civil application is disposed of.

(SMT. RANJANA DESAI, J.)